

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12686 of George J. McDonald, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 7104.2 to change a non-conforming use from a barber shop, part of first (1st) floor to a dry cleaning, valet and laundry pick up store in the R-4 District at the premises No. 7-8th Street, S.E., (Square 898, Lot 814).

HEARING DATE: June 28, 1978

DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. The subject property is located in an R-4 District on the southwest intersection of East Capitol St. and 8th St., S.E. and is known as 7-8th St., S.E.

2. The subject property is currently operated as a barber shop pursuant to Certificate of Occupancy No. B-71182 issued July 24, 1969, part of first floor.

3. The subject property is rectangular in shape, covering approximately 1,633 square feet of land area, and is developed with a two-story semi-detached brick dwelling.

4. The previous use of a barber shop and the proposed use of a valet occupys a small portion of the first floor of the structure and fronts on 8th Street. The remainder and the majority of the building is occupied by the McDonald Antique Gallery.

5. The applicant proposes the subject property as a pick up and delivery point only, with no actual cleaning service to be performed on the premises.

6. The laundry employs partially handicapped persons from the Goodwill Industries. The applicant proposes to open the store eleven hours per day with two employees, each working a 5½ hour shift.

7. The subject property is surrounded to the north, across East Capitol Street on the northwest corner, by a drug store, followed by row dwelling; to the east, across 8th by a sewing shop, to the south immediately adjacent and further south are row dwellings and the Rebor apartment house, and to the west are row dwelling. The subject property is completely encompassed by the R-4 Zone District.

8. Both the previous use of a barber shop, and the proposed use of a dry cleaning and laundry pick-up store are Class II non-conforming uses, and are first permitted in a C-1 Zone District.

9. The Zoning Regulations permit a Class II non-conforming use to be changed if the proposed use is either a neighborhood facility or if not a a neighborhood facility, is a use which will not be objectionable and will not tend to adversely affect the present character or future development of the neighborhood.

10. There was no report from Advisory Neighborhood Commission 6B on this application.

11. The Municipal Planning Office by report dated June 26, 1978, and testimony given at the public hearing, recommended approval on this application on the grounds that the requested change of non-conforming use will be in harmony with the intent and purpose of the Zoning Regulations, that both the uses are intended to provide day to day needs of a small tributary area with a minimal impact upon surrounding residential development, and will not adversely affect the use of neighboring properties. The Board so finds.

12. There was no opposition evinced at the public hearing or in the case file of this application.

CONCLUSION OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board is of the opinion that the requested change of non-conforming use can be granted, since a Class II non-conforming use may be changed to a use which is permitted in the most restrictive district in which the existing non-conforming use is permitted. The present use of a barber shop and the proposed use of a dry cleaning and laundry pick-up store are both uses first permitted as a matter of right in a C-1 District. The Board concludes that the existing and proposed use serves as a neighborhood facility and that the proposed use serves the intent and purpose of the Zoning Regulations. The use will not adversely affect the present character or future development of the neighborhood. Accordingly, it is hereby ORDERED that the application is hereby GRANTED.

VOTE: 3-0 (Chloethiel Woodard Smith, Charles R. Norris and William F. McIntosh to grant; Leonard L. McCants not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Steven E. Sher, by Dejen  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 28 JUL 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.